

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 ICA-11
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R 161823Z JUN 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 3412

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 19321

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EXCON

E.O. 11652: XGDS-1
TAGS: ESTC, COCOM
SUBJECT: SERVICING PROCEDURE AND RELATED PROPOSALS

REF: (A) PARIS 17839, (B) PARIS 14945, (C) STATE
109401

1. AT JUNE 13 MEETING GERMAN DEL STATED THAT HIS
AUTHORITIES COULD SUPPORT CANADIAN PROPOSAL IN COCOM
DOC. PROC (78) 3.5, BUT THAT THEY WOULD PREFER, HOWEVER
THAT THE NEW SUB-PARAGRAPH (F)
PROPOSED BY CANADA BE INCORPORATED IN THE EXISTING
PARAGRAPH OF 9(A) AND THAT 9(D) AND THE VALUE LIMIT
IN 9(A) BE DELETED. IN JUSTIFICATION OF THESE PRO-
POSALS, THE GERMAN DEL SAID THAT BOTH THE TYPE OF
SPARE PART DELIVERIES DEALT WITH IN PARA 9(A) AND
THAT DEALT WITH IN PROPOSED PARA 9(F) WERE FOR THE
MAINTENANCE OF PREVIOUSLY DELIVERED EQUIPMENT. SHOULD
A NEW SUB PARA (F) BE INSERTED INTO PARA 9, HE SAID,
IT WOULD BE NECESSARY TO VERIFY IN EVERY REQUEST
INVOLVING SPARE PARTS EXPORTS WHAT CLASS OF PARTS
WERE CONCERNED AND SOME REQUESTS WOULD REQUIRE TWO
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DIFFERENT PROCEDURES.

2. GERMAN DEL ALSO STATED THAT IN VIEW OF LONG
TECHNICAL EXPERIENCE MEMBER COUNTRIES AUTHORITIES
HAD IN DEALING WITH THE EXPORT OF SPARE PARTS TO
THE EASTERN COUNTRIES, HIS AUTHORITIES DID NOT
BELIEVE THAT ANY ABUSE OF THE CONTROLS WAS POSSIBLE.

HIS AUTHORITIES ALSO FELT, HE SAID, THAT COMMITTEE SHOULD CONSIDER POSSIBILITY OF LIMITING THE QUANTITY OF PARTS EXPORTED NOT BY VALUE BUT BY SIX OR TWELVE MONTH REQUIREMENTS.

3. GERMAN DEL ALSO GAVE FOLLOWING RESPONSES TO QUESTIONS POSED BY USDEL ON SERVICING KITS PURSUANT REF C. (GERMAN RESPONSES FOLLOW ORDER QUESTIONS WERE POSED IN COCOM DOC. PROC (78) 3.4)

A. THE GERMAN AUTHORITIES' VIEW IN THIS RESPECT WAS SET FORTH IN PARAGRAPH 2 OF COCOM DOC. PROC (78) 3.4;

B. SERVICING KITS DID NOT INCLUDE TESTING OR MEASURING EQUIPMENT. IF, IN EXCEPTIONAL CASES, TEST EQUIPMENT SHOULD BE INCLUDED, SUCH EQUIPMENT MUST BE RETURNED TO THE WEST;

C. SPARE PARTS WERE CONTROLLED BY THE SERVICING STATIONS OF THE FIRM DELIVERING THEM. SPARE PARTS WHICH WERE NO LONGER NEEDED MUST BE RETURNED TO THE WEST;

D. THE ANNUAL REQUIREMENT COULD AMOUNT TO 5 PERCENT OF THE VALUE OF THE ORIGINAL DELIVERY;

E. SEE C ABOVE;

F. TECHNOLOGY WOULD BE SUPPLIED ONLY TO THE EXTENT OF THAT CONTAINED IN PUBLICALLY AVAILABLE DOCUMENTATION;
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G. LIST I PARTS REPLACED DURING SERVICING WOULD BE RETURNED TO THE WEST. THEIR RETURN WAS CONTROLLED.

4. BELGIAN DEL STEVENS RESPONDED TO GERMAN REMARKS STATING THAT ON THE ASSUMPTION THAT IT WAS GERMAN VIEW THAT EQUIPMENT COULD BE RETURNED FOR RECONDITIONING TO A COUNTRY OTHER THAN THE COUNTRY FROM WHICH IT HAD ORIGINALLY BEEN EXPORTED, BELGIAN DEL COULD SUPPORT GERMAN SUGGESTION THAT 9(D) BE DELETED. HE BELIEVED THAT SUCH A COURSE WOULD

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C O N F I D E N T I A L SECTION 02 OF 02 PARIS 19321

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RESOLVE THE PROBLEM OF RECONDITIONING PREVIOUSLY
EXPORTED EQUIPMENT RAISED BY HIS DELEGATION IN COCOM
DOC. PROC (77) 3. HE ALSO SAID THAT IF PARA 9(D)
WERE DELETED HE WOULD ALSO BE ABLE TO ACCEPT CANADIAN
PROPOSAL. WHILE HIS AUTHORITIES WERE SYMPATHETIC TO
CANADIAN PROPOSAL, HE SAID, THEY WOULD NOT BE ABLE
TO AGREE TO IT UNTIL A SUITABLE OVERALL SOLUTION
COULD BE FOUND FOR BOTH THE SERVICING KITS AND
RECONDITIONED EQUIPMENT ISSUES.

5. BELGIAN DEL ALSO REFERRED TO HIS SUGGESTION
REPORTED PARA 2 REFTEL A THAT THE MINIMUM SHIPMENTS
PROCEDURE VALUE LIMITS BE INCREASED BY 50 PER CENT.
HE STATED THAT HE HAD NOW BEEN INSTRUCTED TO PROPOSE
THAT THE VALUE CUT OFFS THROUGHOUT THE MINIMUM SHIP-
MENTS PROCEDURES BE INCREASED AS FOLLOWS: (1) THE \$825
CUT OFF SHOULD BE INCREASED TO \$1,250; (2) THE \$3,300
CUT OFF SHOULD BE INCREASED TO \$5000; AND (3) THE
\$6,600 CUT OFF SHOULD BE INCREASED TO \$10,000. MORE-
OVER, HIS AUTHORITIES BELIEVED THAT THE VALUE CUT-OFFS
APPLYING IN THE CASE OF EXEMPTION FROM THE IC/DV
SYSTEM SHOULD LIKEWISE BE INCREASED BY 50 PERCENT.
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6. VARIOUS POSITIONS ON VARIOUS ISSUES NOW OUTSTANDING
CAN BE SUMMARIZED AS FOLLOWS:
A. THE CANADIAN PROPOSAL -- THE FRENCH, GERMAN,
ITALIAN, JAPANESE, NETHERLANDS AND UNITED KINGDOM
DELEGATIONS AGREED THERETO, THE DANISH DELEGATION IS
OPENMINDED, THE BELGIAN DELEGATION WOULD BE ABLE TO
AGREE IF THE GERMAN PROPOSAL TO DELETE PARAGRAPH 9(D)

WERE ACCEPTED.

B. THE JAPANESE PROPOSAL -- TO RAISE CUTOFF TO \$10,000 -- THE BELGIAN, GERMAN, FRENCH, ITALIAN AND NETHERLANDS DELEGATIONS AGREED, THE DANISH AND UNITED KINGDOM DELGATIONS WERE OPENMINDED, THE CANADIAN DELEGATION WOULD CONCUR IN THE MAJORITY VIEW.

C. NEW PROPOSALS -- THER GERMAN DELEGATIONS PROPOSED THAT PARAGRAPH 9(D) BE DELETED, THE PRESENT PARAGRAPH 9(A) AND THE NEW SUB-PARAGRAPH (F) PROPOSED BY CANADA BE COMBINED AND THE VALUE CUT-OFF OF \$10,000 IN PARAGRAPH 9(A) BE DELETED AND REPLACED BY A LIMITATION ON THE QUANTITY OF PARTS TO BE EXPORT-ED TO A SIX OR TWELVE-MONTH REQUIREMENT. THE BELGIAN DELEGATION PROPOSED THAT THE VALUE CUT-OFFS THROUGH-OUT THE MINIMUM SHIPMENTS PROCEEDURES BE INCREASED BY 50 PERCENT, LIKEWISE THOSE IN THE PROCEDURES CONCERNING THE EXEMPTION FROM THE IC/DC PROCEDURES.

7. ACTION REQUESTED: INSTRUCTIONS ON (A) CANADIAN PROPOSAL, (B) JAPANESE PROPOSALS, (C) NEW GERMAN AND BELGIAN PROPOSALS FOR COCOM MEETING JUNE 27.

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